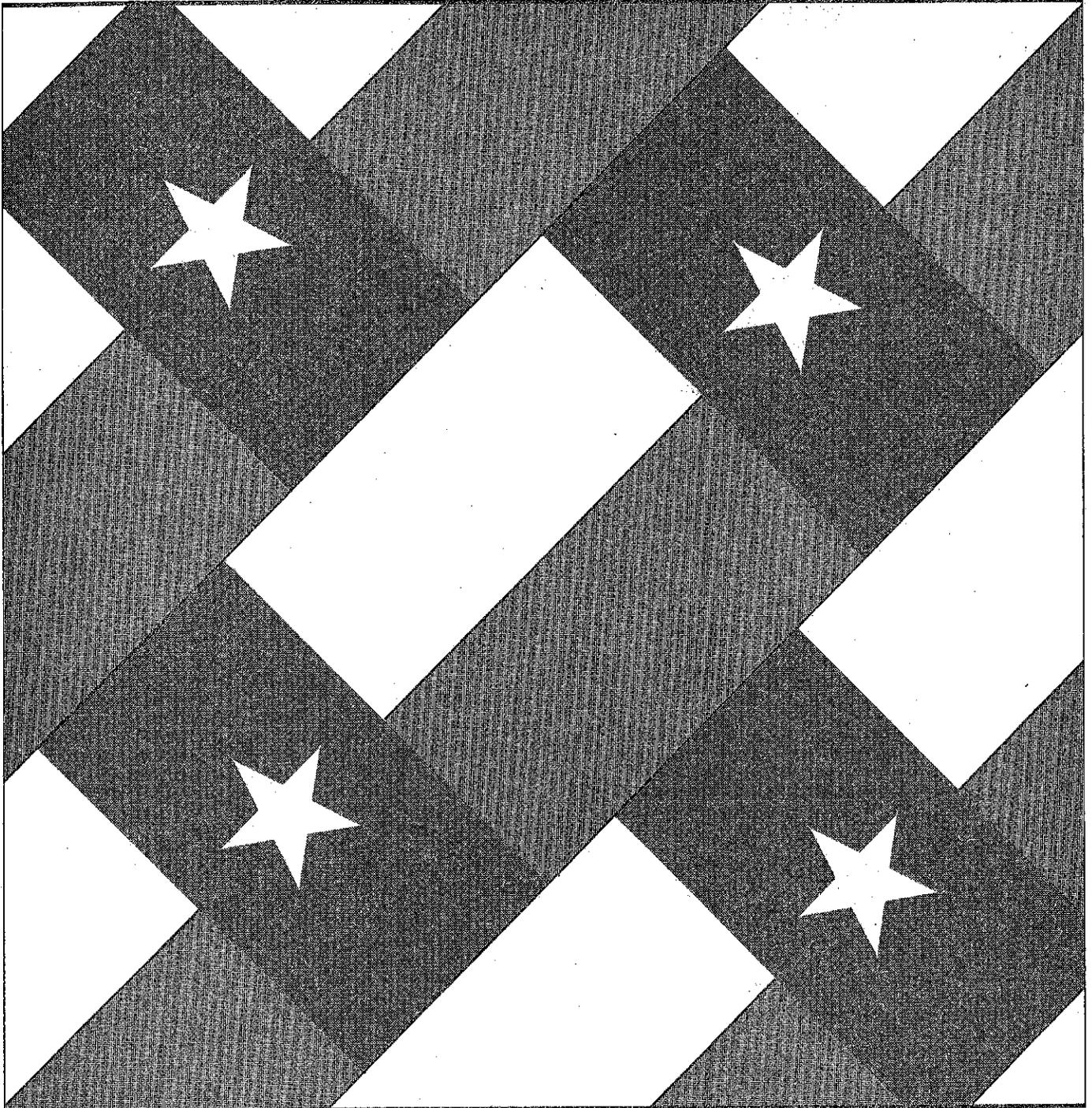


# Texas Register

Volume 10, Number 17, March 1, 1985

Pages 719 - 766



## Highlights

The **State Board of Insurance** adopts on an emergency basis amendments in a chapter concerning powers and duties.  
Effective date - February 21 ..... **page 721**

The **Comptroller of Public Accounts** adopts on

an emergency basis amendments concerning bingo regulation and tax.  
Effective date - February 25 ..... **page 722**

The **Texas Air Control Board** proposes amendments and new sections in a chapter concerning volatile organic compounds. Proposed date of adoption - July 31 ..... **page 728**

**Office of  
the Secretary  
of State**

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# Table of Contents

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## TAC Titles Affected This Issue

- |  |   |
|--|---|
| <p>Title 7. Banking and Securities<br/>Part VII. State Securities Board<br/>Chapter 109. Transactions Exempt From Registration</p> <p>Title 10. Community Development<br/>Part I. Texas Department of Community Affairs<br/>Chapter 9. Texas Community Development Program</p> <p>Title 22. Examining Boards<br/>Part XII. Board of Vocational Nurse Examiners<br/>Chapter 233. Education<br/>Part XIX. Polygraph Examiners Board<br/>Chapter 397. Practice and Procedures</p> <p>Title 25. Health Services<br/>Part V. Texas Health Facilities Commission<br/>Chapter*507. Certificate of Need Requirements</p> <p>Title 28. Insurance<br/>Part I. State Board of Insurance<br/>Powers and Duties<br/>Rating and Policy Forms</p> | <p>Title 31. Natural Resources and Conservation<br/>Part III. Texas Air Control Board<br/>Chapter 114. Motor Vehicles<br/>Chapter 115. Volatile Organic Compounds<br/>Part XIII. Board for Lease of University Lands<br/>Chapter 401. Organization of the Board<br/>Chapter 403. Sale of Oil and Gas Leases<br/>Chapter 405. Disposition of Bonuses, Rental, Royalties, Fees<br/>Chapter 407. Operational Matters<br/>Chapter 409. Special Actions by the Board</p> <p>Title 34. Public Finance<br/>Part I. Comptroller of Public Accounts<br/>Chapter 3. Tax Administration</p> <p>Title 37. Public Safety and Corrections<br/>Part I. Texas Department of Public Safety<br/>Chapter 11. Commercial Vehicle Registration</p> |
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### Emergency Rules

- Texas Health Facilities Commission  
721— Certificate of Need Requirements
- State Board of Insurance  
721— Powers and Duties
- Comptroller of Public Accounts  
722— Tax Administration

### Proposed Rules

- State Securities Board  
724— \*Transactions Exempt from Registration
- State Board of Insurance  
724— Rating and Policy Forms
- Texas Air Control Board  
726— Motor Vehicles  
728— Volatile Organic Compounds
- Board for Lease of University Lands  
738— Organization of the Board  
739— Sale of Oil and Gas Leases  
743— Disposition of Bonuses, Rental, Royalties, Fees  
744— Operational Matters  
745— Special Actions by the Board

### Withdrawn Rules

- Comptroller of Public Accounts  
747— Tax Administration

### Adopted Rules

- Texas Department of Community Affairs  
748— Texas Community Development Program

- Board of Vocational Nurse Examiners  
748— Education
- Polygraph Examiners Board  
749— Practice and Procedures
- Texas Department of Public Safety  
750— Commercial Vehicle Registration

### Open Meetings

- 752— Texas Air Control Board
- 752— Texas Amusement Machine Commission
- 752— Texas Board of Architectural Examiners
- 752— State Commission for the Blind
- 752— Texas State Board of Examiners of Dietitians
- 752— Texas Education Agency
- 753— Texas Employment Commission
- 753— Texas Department of Health
- 753— Texas Indian Commission
- 753— State Board of Insurance
- 753— Texas Department of Labor and Standards
- 754— Legislative Committee on State Telecommunications
- 754— Texas Legislative Council
- 754— Texas Low-Level Radioactive Waste Disposal Authority
- 754— State Board of Morticians
- 754— Board of Pardons and Paroles
- 754— State Pension Review Board
- 754— Texas State Board of Pharmacy
- 755— Public Utility Commission of Texas
- 755— State Purchasing and General Services Commission
- 755— Railroad Commission of Texas

Rule Paragraphs	Counties Where Applicable	Final Compliance Date
All except §115.131(3), §115.132(4), §115.132(6), and §115.132(7)	Brazoria Galveston, Harris	Aug. 31, 1978
	Dallas, Tarrant	Feb. 29, 1980
§115.132(4)	Brazoria Dallas, Galveston Harris, Tarrant	Dec. 31, 1981
§115.131(3), §115.132(6), and §115.132(7)	Harris	Dec. 31, 1982
	<u>DALLAS, TARRANT</u>	<u>DEC. 31, 1987</u>
<u>ALL</u>	<u>EL PASO</u>	<u>DEC. 31, 1987</u>

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on February 20, 1985.

TRD-851597 Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

Proposed date of adoption:  
July 31, 1985

For further information, please call  
(512) 451-5711, ext. 354.

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**Vent Gas Control in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties**

★31 TAC §§115.162-115.164

The Texas Air Control Board proposes amendments to §§115.162-115.164, concerning vent gas control in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

In §115.162, concerning general vent gas streams, the proposed amendments change the reference to §115.163, concerning general vent gas streams in Harris County, to include the addition of Dallas County and Tarrant County. In §115.163, concerning general vent gas streams in Harris County, the proposed amendments add the more stringent vent gas control requirements currently ap-

plicable in Harris County to Dallas and Tarrant Counties.

The exemption for vent gas streams having a combined weight of volatile organic compounds (VOC) greater than 100 pounds in any consecutive 24-hour period, but less than 250 pounds per hour averaged over any consecutive 24-hour period, and having a true vapor pressure of VOC of less than 0.44 pounds per square inch absolute (psia) would be retained for facilities in Harris County. An additional more restrictive exemption for vent gas streams having a combined weight of VOC greater than 100 pounds in any consecutive 24-hour period, but less than 250 pounds per hour averaged over any consecutive 24-hour period, and having a true vapor pressure of less than 0.009 psia is proposed for facilities in Dallas and Tarrant Counties. In §115.164, concerning compliance schedule and counties, proposed amendments add a final compliance date of December 31, 1987, and a final control plan submittal date of June 30, 1986, for the new control requirements of §115.163 that apply to affected facilities in Dallas and Tarrant Counties.

These proposed amendments are part of a series of proposed revisions to Chapter 115 to provide in Dallas, El Paso, and Tarrant Counties the additional VOC emission reductions needed to satisfy the U.S. Environmental Protection Agency (EPA) requirements for post-1982 state implementation plan (SIP) revisions.

Bennie L. Engelke, management and staff services director, has determined that for

the first five-year period the rules are in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Steve Spaw, Central Regulatory Operations Program director, also has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules is improved air quality as a result of a reduction of 2,989 tons per year of VOC emissions in Dallas and Tarrant Counties after December 31, 1987. In addition, these and other VOC emission reductions proposed elsewhere are necessary to satisfy EPA requirements for post-1982 SIPs and to avoid possible growth sanctions in Dallas and Tarrant Counties.

The anticipated economic cost to individuals who are required to comply with the rules as proposed is \$0 in 1985 and 1986, \$2.134 million in 1987, \$2.215 million in 1988, and \$2.298 million in 1989 for all facilities affected, adjusting for 5.4% annual inflation.

Public hearings on this proposal are scheduled at 2:30 and 6:30 p.m. on March 27, 1985, in the city council chambers, second floor, 2 Civic Center Plaza, El Paso; at 2:30 and 6:30 p.m. on March 27, 1985, Room N-401, Convention Center, 650 South Griffin Street, Dallas; and 2:30 and 6:30 p.m. on March 27, 1985, in the city council chambers, 1000 Throckmorton Street, Fort Worth.

Copies of the proposed rules changes are available at the central office of the Texas

Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearings. Written testimony received by 4 p.m. on April 12, 1985, at the TACB central office will be included in the hearing record. Written comments should be sent to the Regulation Development Division, Texas Air Control Board, 6330 Highway 290, Austin, Texas 78723.

This amendment is proposed under Texas Civil Statutes, Article 4477-5, §3.09(a), which provide the TACB with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act, and to amend any rule or regulation the TACB makes.

**§115.162. General Vent Gas Streams.**

Except for process vent gas streams affected by the provisions of §115.161 of this title (relating to Ethylene from Low Density Polyethylene Production) and §115.163 of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [County]), no person may allow a vent gas stream to be emitted from any process vent containing one or more of the specific volatile organic compounds listed in paragraph (1) of this section or more compounds which are members of one or more of the classes of volatile organic compounds listed in paragraph (2) of this section unless the vent gas stream is burned properly at a temperature equal to or greater than 1,300°F (704°C) in a smokeless flare or a direct flame incinerator before it is allowed to enter the atmosphere; alternate means of control may be approved by the executive director in accordance with §115.401 of this title (relating to Procedure).

(1)-(3) (No change.)

**§115.163. General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [County].**

(a) Except for process vent gas streams affected by the provisions of §115.161 of this title (relating to Ethylene from Low Density Polyethylene Production), no person may allow a vent gas stream to be emitted from any process vent located in Dallas, Harris, and Tarrant Counties [County] containing volatile organic compounds unless the vent gas stream is burned properly at a temperature equal to or greater than 1,300°F (704°C) in a smokeless flare or a direct flame incinerator before it is allowed to enter the atmosphere; alternate means of control may be approved by the executive director in accordance with §115.401 of this title (relating to Procedure).

(b) The following vent gas streams are exempt from the requirements of this section:

(1) (No change.)

(2) in Harris County, a vent gas stream having a combined weight of volatile organic compounds greater than 100 pounds (45.4 kg) in any consecutive 24-hour period, but less than 250 pounds (113.4 kg) per hour averaged over any consecutive 24-hour period and having a true vapor pressure of volatile organic compounds less than 0.44 psia (3.0 kPa);

(3) in Dallas and Tarrant Counties, a vent gas stream having a combined weight of volatile organic compounds greater than 100 pounds (45.4kg) in any consecutive 24-hour period but less than 250 pounds (113.4kg) per hour averaged over a 24-hour period and having a true vapor pressure of volatile organic compounds less than 0.009 psia (0.06 kPa).

**§115.164. Compliance Schedule and Counties.**

(a) (No change.)

(b) The provisions of §115.163 of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [County]) shall apply in Dallas, Harris, and Tarrant Counties [County].

(1)-(2) (No change.)

(3) All persons in Dallas and Tarrant Counties affected by the provisions of §115.163 of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall submit a final control plan to the Texas Air Control Board no later than June 30, 1986, and shall be in compliance with this section as soon as practicable, but no later than December 31, 1987.

(4) All persons in Dallas and Tarrant Counties affected by the provisions of §115.163 of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall remain in compliance with the provisions of §115.162 of this title (relating to General Vent Gas Streams) until compliance is achieved with the provisions of §115.163.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on  
February 20, 1985.

TRD-851598 Bill Stewart, P.E.  
Executive Director  
Texas Air Control  
Board

Proposed date of adoption:  
July 31, 1985

For further information, please call  
(512) 475-5711, ext. 354.

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**Specified Solvent-Using Processes in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties**

**★31 TAC §§115.171, 115.175, 115.176**

The Texas Air Control Board (TACB) proposes amendments to §§115.171, 115.175, and 115.176, concerning specified solvent-using processes in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

In §115.171, concerning cutback asphalt, the proposed amendments restructure the section and add subsection (b), which would limit the use of cutback asphalt in Dallas, El Paso, and Tarrant Counties to no more than 7.0% of total annual volume, averaged over a two-year period. The proposed amendment to §115.175, concerning exemptions, adds subsection (f) to reduce the exemption for volatile organic compound (VOC) emissions from degreasing operations in Dallas, El Paso, and Tarrant Counties from 550 pounds to three pounds in any consecutive 24-hour period after December 31, 1987. The proposed amendments to §115.176, concerning counties and compliance schedule, add a final compliance date of December 31, 1987, and a final control plan submittal date of December 31, 1985, for new control requirements of §115.171(b) that apply to cutback asphalt operations and §115.175(f) that apply to degreasing operations in Dallas, El Paso, and Tarrant Counties.

The amendments are part of a series of proposed revisions to Chapter 115 to provide in Dallas, El Paso, and Tarrant Counties the additional VOC emission reductions needed to satisfy the U.S. Environmental Protection Agency (EPA) requirements for post-1982 state implementation plan (SIP) revisions.

Bennie L. Engelke, management and staff services director, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Steve Spaw, P.E., Central Regulatory Operations Program director, has determined that for each year of the first five years the rules are in effect the public benefit anticipated as a result of enforcing the rules is improved air quality as a result of a reduction of 2,906 tons per year of VOC emissions in Dallas, El Paso, and Tarrant Counties after December 31, 1987. In addition, these and other VOC emission reductions proposed elsewhere